

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

JUN 14 2012

DAVID J. MALAND, CLERK

BY  
DEPUTY \_\_\_\_\_

UNITED STATES OF AMERICA

§

§

v.

§

NO: 4:11CR248

§

Judge Schell

ERNEST MICHAEL DIAZ (1)

§

SANTIAGO ADRI SEPULVEDA (3)

§

JOE DIAZ (4)

§

RICARDO JULIO CASTILLO, JR. (5)

§

MICHAEL ANGEL PADRON (6)

§

RAMIRO PENA, JR. (7)

§

RODNEY DSHANE MAYO (8)

§

OSCAR K. MONTOYA-CASTILLO (9)

§

NANCY ALEIDA GRANADOS (10)

§

STEVEN WILLIAM TAYLOR (11)

§

BRITTANY LEANN VOLLWEILER (12)

§

LYLE JEFFREY ROWEN (13)

§

CODY GENE GLENN (14)

§

DYLAN ANDREW DOVE (15)

§

TRAVIS TROY ABOLOS (16)

§

MATEUSZ CIEZKI (17)

§

CHRISTOPHER MURPHY SPRING (18)

§

NICHOLAS ALEXANDER TAGERT (19)

§

CHRISTOPHER DELAROSA (20)

§

HUGO SALINAS HERNANDEZ (21)

§

ADRIAN RODRIGUEZ-RIVERA (22)

§

ELIZABETH ANNE TARLTON (23)

§

BENJAMIN TYLER TREDWAY (24)

§

DAKOTA STEPHEN HARRIS (25)

§

KEVIN JESSIE TEER (26)

§

MICHAEL WAYNE PEREZ, JR. (27)

§

JOSHUA ALEXANDER HONEA (29)

§

COURTNEY AMANDA SIDES (30)

§

MARTIN TELLEZ GONZALEZ (31)

§

**THIRD SUPERSEDING INDICTMENT**

THE UNITED STATES GRAND JURY CHARGES:

**Count One**

Violation: 21 U.S.C. § 846 (Conspiracy  
to possess with intent to distribute  
heroin)

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From in or about March 2010, and continuing until on or about June 13, 2012, in  
the Eastern District of Texas and elsewhere,

**Ernest Michael Diaz  
Santiago Adri Sepulveda  
Joe Diaz  
Ricardo Julio Castillo, Jr.  
Michael Angel Padron  
Ramiro Pena, Jr.  
Rodney Dshane Mayo  
Oscar K. Montoya-Castillo  
Nancy Aleida Granados  
Steven William Taylor  
Brittany Leann Vollweiler  
Lyle Jeffrey Rowen  
Cody Gene Glenn  
Dylan Andrew Dove  
Travis Troy Abolos  
Mateusz Ciezki  
Christopher Murphy Spring  
Nicholas Alexander Tagert  
Christopher Delarosa  
Hugo Salinas Hernandez  
Adrian Rodriguez-Rivera  
Elizabeth Anne Tarlton  
Benjamin Tyler Tredway  
Dakota Stephen Harris  
Kevin Jessie Teer  
Michael Wayne Perez, Jr.  
Joshua Alexander Honea**

**Courtney Amanda Sides  
Martin Tellez Gonzalez**

defendants, did knowingly and intentionally combine, conspire, confederate, and agree together, with each other, and with other persons known and unknown to the Grand Jury, to possess with intent to distribute at least 100 grams or more of a mixture or substance containing a detectable amount of heroin, in violation of 21 U.S.C. § 841(a)(1).

In violation of 21 U.S.C. § 846.

**Count Two**

Violation: 21 U.S.C. § 846  
(Conspiracy to possess with intent  
to distribute heroin resulting in  
death)

Beginning sometime in March 2010, and continuing until on or about June 13, 2012, in the Eastern District of Texas and elsewhere, **Michael Wayne Perez, Jr.**, defendant, did knowingly and intentionally combine, conspire, confederate, and agree together with other persons known and unknown to the Grand Jury, to possess with intent to distribute at least 100 grams or more of a mixture or substance containing a detectable amount of heroin, which resulted in the death of an individual from the use of such substance, in violation of 21 U.S.C. § 841(a)(1).

**OVERT ACT**

In furtherance of this conspiracy and to effect and accomplish the objects of it, the following overt act, among others, was committed in the Eastern District of Texas, and elsewhere:

On or about January 29, 2012, **Michael Wayne Perez, Jr.**, sold a quantity of heroin to Brandon Wanttie, which resulted in the overdose death of Brandon Wanttie on January 29, 2012, in Collin County, Texas, within the Eastern District of Texas.

In violation of 21 U.S.C. § 846.

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**Count Three**

Violation: 21 U.S.C. § 843 (Use of a  
Communication Facility to Commit a  
Controlled Substance Offense)

In or about March 2010, and continuing until on or about June 13, 2012, in the Eastern District of Texas,

**Ernest Michael Diaz  
Joe Diaz  
Ricardo Julio Castillo, Jr.  
Michael Angel Padron  
Steven William Taylor  
Kevin Jessie Teer  
Michael Wayne Perez, Jr.**

defendants herein, did knowingly and intentionally use a communication facility, to-wit: a telephone, to facilitate the commission of felony under the Controlled Substances Act, to-wit: Conspiracy to possess with intent to distribute at least 100 grams or more of heroin.

In violation of 21 U.S.C. § 843.

**NOTICE OF INTENTION TO SEEK CRIMINAL FORFEITURE**  
**Criminal Forfeiture Pursuant to 21 U.S.C. § 853**

As a result of committing the offenses charged in this Third Superseding Indictment, the defendants, may have used or intended to use the following property to commit or facilitate the offenses and/or the following property was derived from proceeds

obtained directly or indirectly as a result of the commission of the violation of 21 U.S.C.

§ 846 including but not limited to the following:

\$11,944.00 in U.S. currency seized from **Adrian Rodriguez-Rivera**; and

\$998.00 in U.S. currency seized from **Martin Tellez Gonzalez**.

A TRUE BILL



GRAND JURY FOREPERSON

JOHN M. BALES  
UNITED STATES ATTORNEY



ERNEST GONZALEZ  
Assistant United States Attorney

Date

6/13/12

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

|                                 |   |               |
|---------------------------------|---|---------------|
| UNITED STATES OF AMERICA        | § |               |
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| MARTIN TELLEZ GONZALEZ (31)     | § |               |

**NOTICE OF PENALTY**

**Count One**

Violation: 21 U.S.C. § 846

Penalty: Imprisonment for five to forty years, a fine not to exceed \$2,000,000, or both. A term of supervised release of at least four years.

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Special Assessment: \$100.00

**Count Two**

Violation: 21 U.S.C. § 846 (Conspiracy to possess heroin with intent to distribute resulting in death)

Penalty: Imprisonment for not more than twenty years, a fine not to exceed \$1,000,000, or both. A term of supervised release of at least three years; If death or serious bodily injury resulted from the uses of such substances then a term of imprisonment of not less than twenty years or more than life, a fine not to exceed \$1,000,000, or both. A term of supervised release of at least five (5) years.

Special Assessment: \$100.00

**Count Three**

Violation: 21 U.S.C. § 843(b)

Penalty: Imprisonment of not more than four years and/or a fine of not more than \$250,000.00; supervised release for a term of not more than one year. If one or more prior convictions for violations of 21 U.S.C. § 843, or any other law of the United States relating to narcotic drugs, marijuana, or depressant or stimulant substances: imprisonment of not more than eight years and/or a fine or not more than \$500,000.00; supervised release for a term of not more than three years.

Special Assessment: \$100.00